

REMARKS

Summary of the Office Action

Claims 1-3 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

Claims 1-3 stand rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 5,795,682 to Garza.

Summary of the Response to the Office Action

Applicants have amended independent claim 1 to more particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Claim 3 has been amended to correct a typographical error. Accordingly, claims 1-3 are pending.

All claims comply with 35 U.S.C. § 112, second paragraph

Claims 1-3 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. More particularly, the Office Action indicates that the phrase "-type" in claim 1 is indefinite. By way of the foregoing amendment, the phrase "-type" has been deleted from claim 1. Accordingly, Applicants respectfully request that the 35 U.S.C. § 112, second paragraph, rejection of claim 1 be withdrawn.

All claims comply with 35 U.S.C. § 102(b)

Claims 1-3 stand rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 5,795,682 to Garza. To the extent that the Examiner may consider this rejection to still apply to independent claim 1, as amended, the rejection is respectfully traversed as being

based upon a reference that does not anticipate the novel combination of features now recited in amended independent claim 1. For example, newly amended independent claim 1 now recites, amongst other features, "a transparent substrate having a trench in a guard ring pattern for shifting the phase of light transmitted therethrough by 180°." Clear support for such an amendments is found, for example, in Figures 4 and 5, and on pages 6 and 7 of the present application. In contrast to the presently claimed invention recited in newly amended independent claim 1, Garza does not disclose a substrate having a trench, much less a trench in a guard ring pattern.

For at least the above reasons, Applicants respectfully assert that the 35 U.S.C. § 102(b) rejections is no longer applicable because Garza does not anticipate all of the features recited in independent claim 1, as amended. Moreover, dependent claims 2 and 3 are allowable for the same reasons as discussed above and for the additional features that they recite. Accordingly, Applicants respectfully request that the 35 U.S.C. § 102(b) rejection of claims 1-3 be withdrawn.

CONCLUSION

In view of the foregoing, it is respectfully urged that the present claims are in condition for allowance. An early notice to this effect is earnestly solicited. Should there be any questions regarding this application, the Examiner is invited to contact the undersigned at the telephone number shown below.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 08-1641. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

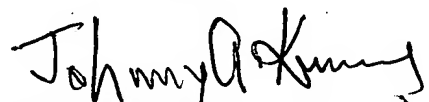
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Respectfully submitted,

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